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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/698,648
Filing Date	October 31, 2003
First Named Inventor	Steven L. Eaton
Art Unit	3629
Examiner Name	Naresh Vig
Attorney Docket Number	LDC100A US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	VanOphem & VanOphem, P.C.	
Signature		
Printed name	Remy J. VanOphem	
Date	August 19, 2005	Reg. No. 27053

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Remy J. VanOphem

Date

August 19, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$ 0)</b>
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**Complete if Known**

Application Number	10/698,648
Filing Date	October 31, 2003
First Named Inventor	Steven L. Eaton
Examiner Name	Naresh Vig
Art Unit	3629
Attorney Docket No.	LDC100A US

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number	22-0212
Deposit Account Name	VanOphem & VanOphem, P.C.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1) (\$ 0)</b>			

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20**	=	
			- 3**	=	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$ 0)</b>		

\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$ 0)**

(Complete if applicable)

<b>SUBMITTED BY</b>			
Name (Print/Type)	Remy J. VanOphem	Registration No. (Attorney/Agent)	27053
Signature	Remy J. VanOphem		
	Date	August 19, 2005	

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**PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/698,648  
Applicants: Steven L. Eaton, William E. Shannon, Karen L. Karam  
& David O. DeRees  
Filing Date: October 31, 2003  
Title: Automated Realty Transfer  
  
Examiner: Naresh Vig  
Art Unit: 3629  
  
Docket No.: LDC100A US

\* \* \* \* \*

**Response to Election/Restriction under 35 U.S.C. 121**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of July 21, 2005 and the Election/Restriction Requirement set forth therein wherein the Examiner sets forth an election requirement under 35 U.S.C. 121 between:

1. Claims 1-60, drawn to a method, system and computer readable program for automating real estate transfer on a centralized server carrier out over a distributed computer network to a plurality of client computers, classified in class 705, subclass 1.
2. Claims 61-75, drawn to a method, system and computer readable program for automating transfer of electronic communication and storing transferred information on a server, classified in class 707, subclass 1.

The Examiner finds that the above-identified inventions are distinct from each other and sets for the various reasons.

The Examiner further found that the application contains claims directed to the following patentably distinct species of the claimed invention:

Claims 4-6, 24-26, 44-46, 62-64, 67-69 and 72-74 uses fax for communicating information; and

Claims 7, 27, 47, 65, 70 and 75 uses e-mail for communicating information.

Applicants are required under 35 U.S.C. 121 to elect as a single species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

In accordance with the above requirements, Applicants elect to prosecute, with traverse, the Group 1 Claims 1-60 and the specie using facsimile communicating information.

A list of claims reading on the Group 1 method and the elected specie includes:

Claims 1-6, 8-26, 28-46 and 48-60.

Since all claims elected are in condition for allowance, formal allowance thereof is respectfully requested.

If the Examiner has any questions with respect to any matter now of record, Applicants' attorney may be reached at (586) 739-7445.

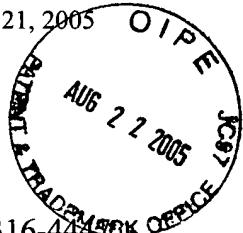
Respectfully submitted,

VANOPHEM & VANOPHEM, P.C.



Remy J. VanOphem  
Attorney for Applicant  
Registration No. 27053

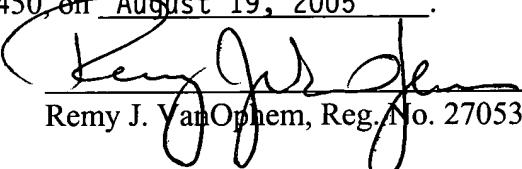
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Attorney Docket No. LDC100A US  
RVO/ndt



Certificate under 37 CFR §1.8(a)

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Date: August 19, 2005

  
Remy J. VanOphem, Reg. No. 27053